Los Angeles County Sheriff's epartment
Supervisor's Report on Use of Force Page 1 of 5

- 1	URN: 0 1 9	- 10	2 3 2	2 6 0	8 -	0 5 0	Date:	07/18	3/19	Time:	184	42 hrs.
	Location:		East	Avenue	R12	C	City or Statio	on:		Palmo	lale	
	Bureau/Station/F	acility:		P	almdale	Station			Admin. Inve	stigation	: O Y	ES 💿 NO
	Type of Force:		Impact We	eapons, F	Personal	weapons	, Control	Holds				
	Incident Categor	y: O	)1 ()2	● 3		Deputy In	jury : 💿	YES O	NO Sus	pect Injur	у 💿	YES O NO
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ľ	IAB Notified:	YES (	NO Persor	Notified:		nant M. D		ıp;		AB Roll	Out	YES O NO
-	Employee #	Last Name			Inv	olved Empl	oyee t Name	- I	.,	M	iddle I.	Rank DSG
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# Supervisor's Report on Use of Force INVOLVED EMPLOYEE - Continuation

0 1 9 - 1 0 2 3 2 - 2 6 0 8 - 0 5 0

Page 2 of 5 Involved Employee First Name Last Name Rank DSG Weight: Age: Shift: Race: Height: ○ EM ○ Day ● PM Regular Shift OT Shift Off Duty ● M ○ F В 190 6-0 Work Assignment (Unit #, Module, etc.): Unit of Assignment: 260F Palmdale Station Individual Category Individual Force Used: Directed ( Rescue ( Medical Assist ① 1 ○ 2 ()3 Control Holds Coroner Case # Admitted Injured Treated Facility: Middle I. Rank Employee # First Name Last Name Height: Weight: Race: ○ EM ○ Day ○ PM Regular Shift
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 Off Duty OM OF Work Assignment (Unit #, Module, etc.): Unit of Assignment: Individual Category Individual Force Used: C Directed C Rescue C Medical Assist O2  $\bigcirc$ 3 Coroner Case # Admitted Treated Facility: Injured Middle I. Rank Employee # Last Name First Name Weight: Height: Age: Shift: Sex Race: EM Day PM Regular Shift OT Shift Off Duty OM OF Work Assignment (Unit #, Module, etc.): Unit of Assignment: Individual Category Individual Force Used: Oirected Rescue Medical Assist  $\bigcirc 1$   $\bigcirc 2$ ()3 Coroner Case # Treated Admitted Facility: Injured Middle I. Rank First Name Employee # Last Name Height: Weight: Age: Shift: Sex: Race: OEM ODay OPM Regular Shift OT Shift Off Duty ○ M ○ F Work Assignment (Unit #, Module, etc.): Unit of Assignment: Individual Category Individual Force Used: C Directed C Rescue C Medical Assist  $\bigcirc 1 \bigcirc 2$ ()3 Coroner Case # Treated Admitted Facility: injured Middle I. Rank Employee # First Name Last Name Weight: Shift: Height: Sex: Race: Regular Shift OT Shift Off Duty ○ EM ○ Day ○ PM OM OF Work Assignment (Unit #, Module, etc.): Unit of Assignment: Individual Category Individual Force Used: Oirected Rescue Medical Assist  $\bigcirc 1 \bigcirc 2$ ()3 Coroner Case #

Injured

Admitted

Facility:

Treated

# Supervisor's Report on Use of Force SUSPECT INFORMATION

0 1 9 - 1 0 2 3 2 - 2 6 0 8 - 0 5 0

Page 3 of 5

Last Name	istory										
AKA Last Name    First Name   Middle Name	istory										
	istory										
Street Address:    Booking #: 5691733   Primary Charge Code: 273.5(a) PC   Secondary Charge Code: 69 PC   Criminal History	istory										
Booking #: 5691733 Primary Charge Code: 273.5(a) PC Secondary Charge Code: 69 PC											
Treated on Scene?  YES NO Name: LA County Fire Dept. Unit: Engine 3 Phone #: 323-268-58.  Hospital Admission?  Rec'd Treatment At: Palmdale Med. Center Coroner Case #: Mental History User's guide direction and process.  By:  Dr. Wilson											
Treated on Scene?  YES NO Name: LA County Fire Dept. Unit: Engine 3 Phone #: 323-268-58.  Hospital Admission?  Rec'd Treatment At: Palmdale Med. Center Coroner Case #: Mental History User's guide direction and process.  By:  Dr. Wilson											
Hospital Admission? Rec'd Treatment At: Palmdale Med. Center Coroner Case #: Mental History User's guide direction on By: Dr. Wilson Address: 38600 Medical Center Dr., Palmdale CA Phone #: 661-382-500 Under Influence: YES NO Substance: Marijuana 5150 a factor in force? YES NO Under Influence: YES NO Substance: Marijuana 5150 a factor in force? YES NO Under guide direction on Date: 07/19/19 Time: 0306 Addiotape: Videotape: Photos of Injuries: Admirs Hearing Announcements  Suspect Information  AKA Last Name First Name Middle Name Middle Name  Sex: Age: Height: D.O.B. Weight: Phone #1: How Change Code: State & Zip Code:  Booking #: Primary Charge Code: Secondary Charge Code: Criminal His	64										
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Suspect Information    Armed? Select	s provides this entry										
Suspect Information    Armed? Select	S										
AKA Last Name  First Name  Middle Name  Sex:  Male Female  Street Address:  City:  Booking #:  Primary Charge Code:  Secondary Charge Code:  Criminal His											
Sex:  Male Female  Race: Age: Height: D.O.B. Weight: Phone #1: O H O W O C Phone #2: O H O W  Street Address: City: State & Zip Code:  Booking #: Primary Charge Code: Secondary Charge Code: Criminal Hi											
Male Female  Street Address:  City: State & Zip Code:  Booking #: Primary Charge Code: Secondary Charge Code: Criminal Hi											
Street Address:  City: State & Zip Code:  Booking #: Primary Charge Code: Secondary Charge Code: Criminal Hi	00										
Booking #: Primary Charge Code: Secondary Charge Code: Criminal Hi											
Treated on Scene? OYES ONO By: Unit: Phone #:	istory										
	Phone #:										
Hospital Admission? Rec'd Treatment At: Coroner Case #: Mental History User's guid	Mental History User's guide provides direction on this entry										
By: Address: Phone #:											
Under Influence: YES NO Substance: 5150 a factor in force? YES NO User's guid	de provides n this entry										
Date: Time: Audiotape: Videotape: Photos of Injuries: ADMITS HEARING											
Suspect Information	3										
S / Last Name First Name Middle Name Armed? Select											
AKA Last Name First Name Middle Name											
Sex: Race: Age: Height: D.O.B. Weight: Phone #1: O H O W O C Phone #2: O H O W	00										
Male Fernale City State & Zip Code:											
Street Address: City: State & Zip Code:											
Booking #: Primary Charge Code: Secondary Charge Code: Criminal H	istory										
Treated on Scene? YES NO By: Unit: Phone #:											
Corpora Care # Mental History   User's guid	de provides on this entry										
By: Address: Phone #:											
Under Influence: YES NO Substance: 5150 a factor in force? YES NO User's guid	de provides on this entry										
ADMITS HEARING											
Date: Time: Audiotape: Videotape: Photos of Injuries: Announcement  Additional Suspects Invol	-										

# Supervisor's Report on Use of Force EMPLOYEE / NON-EMPLOYEE INFORMATION

0 1 9 - 1 0 2 3 2 - 2 6 0 8 - 0 5 0

Page 4 of 5

			Employee Witnesse	s				
Emp.#	Last Name	Riddle	First Name	Erik		Middle Nan	ne M	
Unit of Assignment:		Work Assignment (Unit		Shift:	O Day ⊕ PM	00	der 🙉 o	T Off Duty
Palmdale	Station Last Name	260	S First Name	O EM (		Middle Nam		Oll Daty
Emp. #	Last Name		TIISI Name			WILLIONE MAIN	ic	
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Last Name		First Name		Middle N			Age	D.O.B. Adult
Street Address			City		Zip Code	Phone #1	PI	none #2
Last Name		First Name		Middle N	lame		Age	D.O.B.
Street Address		J.	City		Zip Code	Phone #1	PI	none #2
Last Name		First Name		Middle N	ame	1	Age	D.O.B.
Street Address			City		Zip Code	Phone #1	Pt	none #2
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Street Address		I	City		Zip Code	Phone #1	PI	none #2
Last Name		First Name		Middle N	ame		Age	D.O.B.
Street Address			City		Zip Code	Phone #1	PI	none #2
Last Name		First Name		Middle N	ame		Age	D.O.B.
Street Address			City		Zip Code	Phone #1	Pi	none #2
Last Name		First Name		Middle N	ame		Age	D.O.B.
Street Address			City		Zip Code	Phone #1	PI	none #2
							Additi	onal Witness

Supervisor's Report on Use of Force
0 1 9 - 1 0 2 3 2 - 2 6 0 8 - 0 5 0

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### Method

1	(WA)	Arwen	(FH)	Firearm (Handgun)	(PO)	Personal Weapon (Other)
1	(BC)	Baton: (Control)	(FR)	Firearm (Rifle)	(RS)	Resistance
ı	(BI)	Baton: (Impact)	(FS)	Firearm (Shotgun)	(RO)	Restraint Device (Other)
	(BF)	Bodily Fluids	(FQ)	Firearm (Other)	(RH)	Restraint Device (Handcuffs)
1	(CN)		(FB)	Flashbang	(HB)	Restraint Device: Hobble (Legs Only)
-	(CR)	Carotid Restraint	(FL)	Flashlight	(TP)	Restraint Device: Hobble (TARP)
	. ,	Choke Hold	(OE)	Other Weapon: Edged	(RE)	Restraint Device: REACT Belt
1	(CT)	Control Holds: (Control Techniques)	(OV)	Other Weapon: Vehicle	(SP)	Sap
	(TT)	Control Holds: (Team Takedown)	(OB)	Other Weapon: Blunt Object	(SH)	Shield
	(TD)		(00)	Other Weapon: Other	(IR)	Less Lethal Impact Round (other)
	(CE)	Chemical	(PK)	Personal Weapon: Feet/Leg: (Kick)	(SB)	Sting Ball
	(OC)	Chemical Agents (OC Spray)	(PS)	Personal Weapon: Feet/Leg: (Sweep)	(ST)	Stun Bag
	1	Chemical Agents (Tear Gas)	(PH)	Personal Weapon (Hand/Arm)	(TR)	Taser
	(EX)		(PP)	Personal Weapon (Push)	(UC)	Uncooperative
	,		, ,		(HR)	High Risk

Type of Injury				Bod	Part Invo	lved			
(AB) Abrasion (BR) Bruise (BU) Burn (CP) Complaint of Pain (CO) Concussion (DH) Death (DI) Dislocation	(DB) Dog B (FR) Fractu (GS) Gunsi (HB) Huma (LC) Lacer (ND) Nerve (OD) Organ	ures (PW) hot (SD) an Bite (ST) rations (UN) a Damage (RM)	Paralysis Puncture Wound Soft Tissue Damage Sprain/Twists Unconscious Refused Med Treatment NONE	(AK) (AR) (BK) (BT)	Abdomen Ankle Arm Back Buttocks Chest Elbow	(FE) (FI) (GE) (GR) (HD)	Face Feet Fingers Genitals Groin Hands Head	(H) (IX) (KX) (LE) (NK) (XO) (SH) (SR)	Hip Internal Knees Leg Neck Nose Shoulder Wrist

FORCE USED	BY	FORCE USED A	Method	Type of Injury	Body Part		
Name	E# or S#	Name	E# or S#	(Code)	(Code)	(Code)	
Chavez	S#1	Gregg	E#1	RS	N/A	N/A	
Gregg	E#1	Chavez	S#1	PH	N/A	HE	
Gregg	E#1	Chavez	S#1	CT	N/A	HE	
Chavez	S#1	Gregg	E#1	HR	N/A	N/A	
Gregg	E#1	Chavez	S#1	PH	CP	HE	
Guerra	E#2	Chavez	S#1	CT	N/A	AR	
Chavez	S#1	Gregg	E#2	PO	SD	HE	
Gregg	E#1	Chavez	S#1	PH	CP	FA	
Guerra	E#2	Chavez	S#1	PO	FR	AD	
Chavez	S#1	Gregg	E#1	RS	AB	HI	
Guerra	E#2	Chavez	S#1	PO	CP	GR	
Guerra	E#2	Chavez	S#1	FH	FR	FA	
Gregg	E#1	Chavez	S#1	PO	CP	FA	
Fisher	E#3	Chavez	S#1	BI	CP	AD	
Chavez	S#1	Gregg	E#1	RS	N/A	N/A	
Fisher	E#3	Chavez	S#1	CT	N/A	LE	
Guerra	E#2	Chavez	S#1	RH	N/A	WR	
Oddina	E#4	Chavez	S#1	RH	N/A	WR	
S							

# COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

# INVESTIGATIVE SUMMARY

INCIDENT:

Category 3 Use of Force (Mandibular fracture,

Fractured ribs)

IAB FILE NUMBER:

FO 2489019

**URN NUMBER:** 

019-10232-2608-050

**DIVISION / UNIT:** 

North Patrol Division / Palmdale Station

DATE / TIME:

Sunday, July 18, 2019, 1842 hours

LOCATION:

East Avenue R12, Palmdale

SUSPECT:

Jorge Chavez, MH/38, DOB 12/06/81

INVOLVED

PERSONNEL:

Deputy Zachary Gregg, # Unit 263T1
Deputy Alex Guerra, # Unit 263K
Deputy Raquel Fisher, # Unit 264
Deputy # Unit 260F

#### SYNPOSIS:

On July 18, 2019, an Internal Affairs Bureau (IAB) Force and Shooting Rollout Team comprised of Lieutenant Minh Dinh and Sergeants Omar Camacho and John Steele, responded to the above location regarding a Category 3 use of force. Deputies Zachary Gregg, Alex Guerra, Raquel Fisher, and assigned to Palmdale Station, responded to a domestic violence service call and used force against Suspect Jorge Chavez. The incident was documented under URN 019-10232-2608-050 [EXHIBIT A]. During the incident, Suspect Chavez sustained two fractured ribs (Left rib fracture 8<sup>th</sup> and 10<sup>th</sup>) and a fractured jaw (Right mandibular fracture).

Suspect Chavez was transported to Palmdale Regional Medical Center where he was treated for his injuries and received medical clearance for booking [EXHIBIT B].

#### CASE SUMMARY:

On July 18, 2019, at approximately 1842 hours, Palmdale Station deputy personnel
responded to an emergent call at
just occurred call (273.5 JO). Deputies Gregg, Guerra, and Fisher arrived on scene and
saw Suspect Chavez had a choke hold on Witness Suspect Chavez was behind
Witness as he had his forearm around her neck. The deputies noticed Witness
was unable to break free from the choke hold. Witness was gasping for air
and her face began changing color, as it appeared she was unable to breathe.

Deputies Gregg and Guerra ran toward Suspect Chavez and ordered him to release her. Deputy Gregg punched Suspect Chavez several times in the face and head as Deputy Guerra attempted to pull Suspect Chavez's forearm. Deputy Fisher arrived at the location, activated the duplex patch and put out radio transmissions, requesting assistance for deputies involved in a fight.

During the struggle with Suspect Chavez, they slipped and fell on the muddy front yard grass area of the residence. Deputy Gregg attempted a carotid restraint on Suspect Chavez, but was not able to apply the hold. Deputy Guerra kneed Suspect Chavez in the left rib area several times. He believed his knee strikes allowed Witness to break free of Suspect Chavez.

Deputy Fisher assisted Witness to safety as Suspect Chavez continued to fight with Deputies Gregg and Guerra. While on the ground, Suspect Chavez elbowed Deputy Gregg in the face. Deputy Gregg reacted and punched Suspect Chavez several times in the face and head area. While fighting with deputies on the ground, Suspect Chavez reached for Deputy Gregg's handgun. Deputy Gregg felt Suspect Chavez pulling on the handgun back and forth while in his holster. Deputy Guerra yelled at Deputy Gregg and told him Suspect Chavez had his gun. Deputy personnel believed their lives were in danger and reacted to this active threat.

Deputy Guerra unholstered his own firearm and hit Suspect Chavez in the face with the barrel of his gun. Deputy Guerra warned Suspect Chavez he would be shot if he did not stop fighting. Suspect Chavez challenged Deputy Guerra to kill him. Deputy Fisher struck Suspect Chavez's right arm and left ribcage area with her expandable baton several times. Deputy Gregg pressed his fingers into Suspect Chavez's eyes and pulled his head back in an upward motion. Deputy Guerra then pushed his firearm against Suspect Chavez's head and again warned him he would be shot. Suspect Chavez conceded and yelled for the deputies to stop. Suspect Chavez released his grip of Deputy Gregg's firearm, but placed his arms under his body.

Deputy arrived on scene and assisted deputy personnel with gaining control of Suspect Chavez's arms, and placing them behind his back. Deputy Guerra and Deputy handcuffed Suspect Chavez without further incident. Additional

Palmdale Station units responded to the location of incident, including a field supervisor, Sergeant Erik Riddle (Unit 260S). Sergeant Riddle acknowledged his response to the location via radio and arrived in approximately three minutes. Upon arrival, Sergeant Riddle contacted the involved deputy personnel on scene.

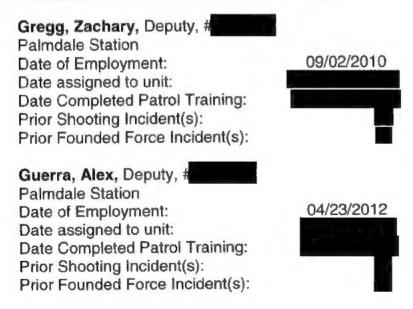
Deputies Gregg, Guerra, Fisher, and adhered to the use of force reporting procedures. They prepared written reports describing their observations and actions, which were consistent with their initial verbal report to Sergeant Riddle.

Suspect Chavez complained of pain to his ribs and head. Suspect Chavez was treated on scene by paramedics and Los Angeles County Fire Department Engine 131, under the supervision of Captain Brigance. He was transported to Palmdale Regional Medical Center where he was treated for his injuries by Doctor Cory Wilson. Doctor Wilson confirmed Suspect Chavez sustained fractures to his 8th and 10th left ribs, and to the right side of his jaw. Suspect Chavez received medical clearance to be booked at Palmdale Station.

During the investigation, IAB Investigators learned Witness had recently separated from Suspect Chavez, her for the separated of 16 years. He had threatened to kill her and commit suicide in front of their for the just before she called Palmdale Station. Deputy personnel stated they were unable to de-escalate the confrontation with the Suspect Chavez. Upon their arrival, he was actively choking the victim.

IAB Investigators interviewed Suspect Chavez at Palmdale Station after the booking process. Photographs of Suspect Chavez and alleged injuries were taken [EXHIBIT C – Photographs IAB interview].

# INVOLVED PERSONNEL/WORK HISTORY:



Fisher, Raquel, Deputy, # Palmdale Station 01/13/2014 Date of Employment: Date assigned to unit: Date Completed Patrol Training: Prior Shooting Incident(s): Prior Founded Force Incident(s): Deputy, # Palmdale Station Date of Employment: 01/25/2006 Date assigned to unit: Date Completed Patrol Training: Prior Shooting Incident(s): Prior Founded Force Incident(s):

### **NON-EMPLOYEE WITNESSES:**

The listed individuals were present during the use of force incident, but were not interviewed by IAB Investigators.



IAB Note:

IAB Investigators contacted Witness She admitted to moving out of the city of Palmdale after the incident, due to fear of Suspect Chavez. Witness did not want to participate in an interview and requested her not be contacted.

#### SUSPECT INFORMATION:

Chavez, Jorge MH/38, DOB 12/06/81, 511, 213 LBS., Currently serving 3 years State Prison
CII # MAIN # FBI #

A check of the Consolidated Criminal History Reporting System/Criminal Information Index (CCHRS/CII) revealed Suspect Jorge Chavez

For further, refer to a copy of Suspect Chavez' CCHRS/CII printouts, presented in the **Miscellaneous Documents** section of this case book.

#### SUSPECT INJURIES:

Suspect Jorge Chavez sustained two fractured ribs (left rib fracture 8<sup>th</sup> and 10<sup>th</sup>) and a fractured jaw (right mandibular fracture). Suspect Chavez was treated for his injuries by Dr. Cory Wilson from Palmdale Regional Medical Center (PRM). Doctor Wilson said Suspect Chavez's injuries were consistent with being involved in a physical altercation.

IAB Note: A medical waiver was signed by Suspect Chavez and medical records were obtained by IAB investigators.

Palmdale Station Sergeant Nathan Grimes responded to PRM. Sergeant Grimes conducted a field interview of Suspect Chavez at PRM and documented Suspect Chavez's injuries.

# **DEPUTY PERSONNEL INJURIES:**

Deputy Gregg sustained an abrasion to his right hand and redness to his forehead. Deputy Guerra sustained an abrasion to his left hand [EXHIBIT C – Photographs of deputy personnel].

# PHYSICAL EVIDENCE:

No physical evidence was collected from the scene; however, video of the scene and photographs of injuries sustained were taken.

# **INVESTIGATORS' OBSERVATIONS:**

The residence was located on East Avenue R12, the houses from 30<sup>th</sup> Street East. There was a surveillance camera affixed to the top right corner of the garage. The camera faced toward the street and driveway area of the residence. The camera was non-functional, therefore no video surveillance footage of incident was recovered.

The scene was described and video recorded by Sergeant Riddle. Sergeant Riddle recorded the outside of the residence and the front yard area, where the incident took place. Sergeant Riddle canvassed area and conducted field interviews [EXHIBIT C – Videos].

IAB Note: Six hours elapsed between the use of force and IAB

Investigator observations. Due to the early morning hours, IAB Investigators were unable to observe the area during daylight.

# **WEAPONS USED BY DEPUTY PERSONNEL**

Deputy Fisher used an expandable baton on Suspect Chavez during the incident.

Deputy Guerra used his firearm as an impact weapon to Suspect Chavez's head. IAB investigators obtained photographs of the firearm and reviewed the damage to the X300 Surefire light attachment [EXHIBIT C – Photographs of firearm].

#### WEAPONS USED BY THE SUSPECT

None.

# **PROPERTY DAMAGE**

None.

#### CRIMINAL INVESTIGATION CHARGES

Palmdale Station Detectives submitted the criminal complaint to the Antelope Valley Courthouse, District Attorney's Office. On July 22, 2019, one count of Domestic Violence with Injury, 273.5(a) PC, one count of Terrorist Threats, 422(a) PC, and two counts of Obstructing/Resisting a Peace Officer, 69 PC, were filed. On March 20, 2020, Suspect Chavez was convicted on the Domestic Violence and Obstructing/Resisting a Peace Officer charges and sentenced to three years in State prison.

#### LIGHTING AND WEATHER CONDITIONS

Daylight, dry and warm temperatures.

#### RADIO TRANSMISSIONS

On the date of incident, IAB Investigators retrieved the radio transmissions of the incident. IAB Investigators reviewed and compared those transmissions, with the Sheriff Communications Center (SCC) audio [EXHIBIT C – SCC Radio Transmissions], associated with the incident. The following is a brief synopsis of those transmissions:

#### **DISPATCH 15**

1840 hours - 911 call for service.

1841 hours - SCC call broadcast.

1844 Hours - SCC call update Code 1M for officer safety.

1845 Hours – Units advised they were going 97.

1846 Hours - 264F advised deputies involved in a fight, assistance request.

1846 Hours – 260S advised he is responding to location.

1847 Hours - Aero down SCC.

1848 hours - Code 4 broadcast.

#### PALMDALE METRO L-TAC

1843 hours - Units coordinating and advised they had less lethal weapons.

#### SURVEILLANCE VIDEO

There were no video recordings of the use of force incident located or identified by IAB Investigators.

#### INVOLVED EMPLOYEE STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions. IAB investigators reviewed all reports authored by the involved deputies and witness personnel.

#### **DEPUTY ZACHARY GREGG**

On February 7, 2020, at 1036 hours, IAB Sergeants Omar Camacho and Andy Ruiz interviewed Deputy Alex Guerra at the IAB office. Deputy Guerra was represented by Attorney Maurice Sinsley.

Deputy Gregg was assigned as 263T1 and had a civilian ride-along during his shift. They responded to an emergent call at the control of the c

IAB Note:

IAB investigators requested the Los Angeles County Sheriff's Department Palmdale Station Observer Program (Ride-Along) Application for R/A Paragram. Palmdale Station did not have a record of it. Mr. Was on the PM Shift In-Service for Thursday July 18, 2019.

SCC placed an update and advised via radio that if police arrived at the location, the suspect would hurt the victim. Deputy Gregg turned off his siren so the suspect would not hear deputy personnel approaching. Deputies Gregg and Guerra responded in tandem, as Deputy Guerra coordinated the response on Palmdale Metro tactical frequency.

Upon arriving, they parked their patrol vehicles one house east of the location. Deputy Gregg was able to see Suspect Chavez choking Witness in the front yard. Suspect Chavez and Witness were both facing Deputy Gregg, while Suspect Chavez's arm was around her neck. From a distance of approximately 100 feet, Deputy Gregg exited his vehicle and started running towards Suspect Chavez, while simultaneously giving him commands to let the female go.

Deputy Guerra followed Deputy Gregg as they approached Suspect Chavez and Witness. Deputy Gregg could hear the Witness gasping for air and believed he needed to act quickly. Deputy Gregg punched Suspect Chavez on the left side of his head at the temple, but the strike had no effect on him. Deputy Gregg said, "nothing happened after I punched him, so I knew I had to try a different tactic" (Gregg Interview, p.7). Deputy Gregg attempted a carotid restrain, but was unable to complete the hold. Deputy Gregg believed Suspect Chavez was familiar with mixed martial arts fighting, based on his defensive tactic of tucking his chin to the failed carotid restraint.

The area where the incident took place was the front lawn of the residence. The area was muddy and extremely slippery. During the physical altercation, "the suspect took us both to the ground" (**Gregg Interview**, p.8). Deputy Gregg described having a hold of Suspect Chavez's body and the suspect's legs slipped, causing them all to go to the ground.

Deputy Gregg continued to give Suspect Chavez numerous commands to release Witness Deputy Gregg believed Suspect Chavez was trying to kill her. Deputy Gregg grabbed Suspect Chavez's left arm and placed it in a wristlock. Suspect Chavez struck Deputy Gregg with an elbow to the face. Deputy Gregg said he felt pain to his face and lightheadedness, due to the elbow strike.

Deputy Fisher responded to the domestic violence call, activated the duplex patch, placing radio transmissions regarding deputies involved in a fight. While Deputies Gregg and Guerra were struggling with Suspect Chavez on the ground, Deputy Gregg felt the suspect grab his gun. He felt the firearm moving on his belt as Suspect Chavez was "forcing it back and forth" (Gregg Interview, p.14). Deputy Guerra then yelled stating Suspect Chavez had Deputy Gregg's gun. Deputy Gregg began punching Suspect Chavez in the head and rib area, but that did not stop Suspect Chavez from releasing his grip on the gun. Deputy Gregg then placed his left hand middle finger into the right eye and his left ring finger into the left eye of Suspect Chavez. Deputy Gregg started to push his fingers inward into the eyeballs of Suspect Chavez. This had an

immediate effect on Suspect Chavez, as it caused him to release the grip on Deputy Gregg's gun.

Due to this incident starting off as a domestic violence call, coupled with the suspect's actions, Deputy Gregg considered this a life threatening incident. He was fearful for himself and Deputy Guerra because Suspect Chavez continued to fight. Deputy Gregg said, "I've never had anyone fight that hard to grab my gun" (Gregg Interview, p.16). Deputy Gregg said he observed Deputy Guerra apply knee strikes on Suspect Chavez while they attempted to gain control of him.

Deputy arrived on scene and assisted with the handcuffing of Suspect Chavez. Deputy Gregg said Sergeant Riddle immediately responded to the location. Deputy Gregg advised Sergeant Riddle of the incident and use of force. Deputy Gregg suffered a right hand abrasion which resulted in bleeding.

The suspect was handcuffed without further incident.

IAB Investigators asked Deputy Gregg regarding possessing a Taser. Deputy Gregg said a Taser was assigned to him, but his Taser holster was broken. He kept it in the patrol vehicle, easily accessible, prior to going on scene to a call. Deputy Gregg understood it was always part of their plan to go into a service call with a Taser. During this incident, Deputy Gregg said it happened quickly and rapidly escalated upon arrival. Deputy Gregg said, "I saw him strangling her and then I didn't even think to grab it on the way out" (Gregg Interview, p.21).

Deputy Gregg wrote a supplemental report to documents his actions and observations.

#### **DEPUTY ALEX GUERRA**

On February 7, 2020, IAB Sergeants Omar Camacho and Andy Ruiz interviewed Deputy Alex Guerra at the IAB office. Deputy Guerra was represented by Attorney Maurice Sinsley.

Deputy Guerra was working Palmdale station as 263K on the date of incident. He was a single man patrol unit but was assigned a ride-along for the shift.

IAB Note: IAB investigators requested the Los Angeles County Sheriff's Department Palmdale Station Observer Program (Ride-Along) Application for R/A Palmdale Station did not have record of it. Mr. (Witness) was on the PM Shift In-Service for Thursday July 18, 2019.

As they drove up to the location, Deputy Gregg was the lead vehicle as Deputy Guerra followed. He saw Deputy Gregg get out of his patrol vehicle and start running toward the front yard of the house, where Suspect Chavez and Witness were standing. He instructed the ride-along to stay in the car Deputy Guerra followed Deputy Gregg. As Deputy Guerra came around to an area where all parties were visible, he saw Suspect Chavez and Witness on the ground.

Suspect Chavez was strangling Witness on the grass area as the deputies ran to assist her. Deputy Guerra described the strangling hold for IAB Investigators. He said Suspect Chavez had his right arm around the Witness neck, causing her to not be able to breathe. Suspect Chavez was on top of Witness. She was positioned on her stomach, laying on the grass.

Deputy Guerra positioned himself on the left side of Suspect Chavez and delivered three to four knee strikes to the upper torso. The knee strikes did not have an effect on Suspect Chavez. Deputy Guerra then delivered a couple more knee strikes to gain his compliance. As the fight continued, Deputy Guerra positioned himself toward the middle of Suspect Chavez's body and delivered a knee strike to the groin. He observed Deputy Gregg striking the Suspect Chavez on the head with his fist. Deputy Guerra believed the combination of head strikes and knee to the groin disrupted Suspect Chavez and allowed Witness to break free.

Deputy Guerra saw Suspect Chavez grab Deputy Gregg's gun. He saw Suspect Chavez begin to move the gun out of the holster, as the "hood of the gun came undone" (Guerra Interview, p.10). Deputy Guerra communicated with Deputy Gregg and stated Suspect Chavez had his gun. Deputy Guerra saw this as a deadly force situation based on the Suspect Chavez's statements and actions.

Deputy Guerra placed his left hand around Suspect Chavez's neck and was able to push Suspect Chavez's hand away from Deputy Gregg's gun. Deputy Guerra retrieved his own gun and "slammed it to the side of his head" (Guerra Interview, p.11).

IAB Investigators asked Deputy Guerra to explain the physical contact of the firearm to Suspect Chavez's head. Deputy Guerra said he pulled his gun from his holster and slammed it to the side of Suspect Chavez's jaw.

IAB Note:

IAB investigators observed the Smith & Wesson M&P 9MM firearm with X300 Surefire light attachment. The light attachment had a cracked glass lens. The X300 Surefire light had a beveled front end and protruded the gun barrel by approximately an inch. Deputy Guerra said the light attachment did not have damage prior to the incident.

Deputy Guerra told Suspect Chavez he would shoot him if he didn't stop fighting. Suspect Chavez replied, stating the deputies would have to kill him. Deputy Guerra repeated himself a second time. Suspect Chavez then complied. Deputy Guerra believed the show of force, coupled with the verbal commands given, worked in gaining Suspect Chavez's compliance.

Deputies Fisher and responded to the location and assisted Deputies Gregg and Guerra. Deputy Fisher put out radio traffic requesting assistance. Once on scene, Deputy was able to assist Deputy Guerra in handcuffing Suspect Chavez.

Sergeant Riddle arrived at the location and was advised of the incident and use of force. Deputy Guerra documented his actions in a SH-R-49 incident report.

#### DEPUTY RAQUEL FISHER

On February 21, 2020, IAB Sergeants Omar Camacho and Jeremy Carr interviewed Deputy Raquel Fisher at the IAB office. Deputy Fisher was represented by Attorney Mitchell Kander.

Deputy Fisher was working Palmdale Station as Unit 264 on the date of incident. She had an LASD Palmdale Explorer ride-along for her shift.

IAB Note:

IAB investigators requested the Los Angeles County Sheriff's Department Palmdale Station Observer Program (Ride-Along) Application for R/A Palmdale Station did not have a record of it. Mr. Was on the PM Shift In-Service for Thursday July 18, 2019.

Upon arriving at the location, she saw Deputy Gregg had parked his patrol vehicle and he ran toward the residence. Deputy Fisher exited her patrol vehicle and heard a female voice screaming in front of the house. She ran toward the front of the house and heard Deputy Gregg yell at the suspect to let the victim go. Deputy Fisher saw Suspect

away" (Fisher Interview, p.5). She also saw a later identified as Witness attempting to pull his laway from Suspect Chavez.
Deputy Fisher observed Deputy Gregg hit Suspect Chavez a couple of times in the face, but Suspect Chavez did not let go of Witness. Deputy Fisher recalled the grass area was muddy and slippery, which caused them to fall to the ground. Deputy Fisher immediately put out radio transmissions and advised that deputies were involved in a fight.
She observed Deputy Guerra knee strike Suspect Chavez in the ribcage area and Witness was able to break free. Deputies continued to give Suspect Chavez commands to place his hands behind his back but he would not comply. Deputy Fisher saw Suspect Chavez grab Deputy Gregg's gun as they were actively fighting on the ground. She explained that Suspect Chavez tugged at the gun several times, trying to disarm Deputy Gregg. Deputy Fisher immediately pulled out her expandable baton and struck him once on the right arm and three times in the left ribcage area. She saw Deputy Guerra then grab Suspect Chavez's right arm, which she believed, prevented the gun from being pulled out of the holster.
Deputy Fisher considered deadly force, but her partners were in close proximity of Suspect Chavez. Deputy Fisher then saw Deputy Guerra pull out his firearm. Deputy Guerra placed the firearm on Suspect Chavez's face and told him he would get shot (Fisher Interview, p.21). After continued threats of deadly force, deputy personnel were able to subdue Suspect Chavez. Deputy arrived on scene and assisted Deputy Guerra with handcuffing Suspect Chavez.
Deputy Fisher documented her actions in a supplemental report.
DEPUTY
On February 19, 2020, IAB Sergeants Omar Camacho and interviewed Deputy at Palmdale Station. Deputy was assigned to Palmdale Station as unit 260F on the date of incident, and working with the Partners Against Crime Team (PAC).
Deputy self-assigned himself to the domestic violence call after hearing it broadcast via radio. Upon arriving at the location, he saw Deputies Gregg, Guerra, and Fisher fighting with Suspect Chavez in the front yard of the house. He saw Suspect Chavez was lying on his stomach. Deputy Fisher was positioned toward Suspect Chavez's legs, while Deputies Gregg and Guerra were holding Suspect Chavez's arms. Deputy personnel were giving Suspect Chavez commands to stop fighting. It appeared to Deputy that Deputies Gregg, Guerra, and Fisher were fatigued due to Suspect Chavez actively struggling with them.

Deputy moved Deputy Gregg to assist. Deputy grabbed Suspect Chavez's left arm and put it behind his back, while simultaneously ordering Suspect Chavez to stop fighting. Suspect Chavez initially resisted being handcuffed, but complied after numerous orders. Deputy did not use or witness any other use of force applied on Suspect Chavez.
Deputy documented his actions in a supplemental report.
EMPLOYEE WITNESS
SERGEANT ERIK RIDDLE
On February 19, 2020, IAB Sergeants Omar Camacho and interviewed Sergeant Erik Riddle at Palmdale Station. Sergeant Riddle was working overtime on the date of incident. He was the field supervisor at Palmdale Station and assigned as unit 206S on PM shift.
Sergeant Riddle responded to regarding a domestic violence call. He heard emergent radio traffic and responded with lights and siren to the call. It took Sergeant Riddle approximately 3 minutes to arrive at the location. Upon his arrival he saw Deputy watching over Suspect Chavez in the front yard grass area. Deputies Gregg, Guerra, and Fisher were the only other deputy personnel Sergeant Riddle remembered being at the scene.
Sergeant Riddle arrived and took over scene management. The involved deputy personnel advised Sergeant Riddle of the use of force. Sergeant Riddle later had a debriefing, discussing tactics and the actions leading up to the use of force. Sergeant Riddle does not believe de-escalation tactics were possible due to the deputies having to immediately take action, based on Suspect Chavez choking the victim.
NON-EMPLOYEE WITNESSES
- Field Sergeant Interview
On July 18, 2019, Sergeant Riddle (260S) interviewed Witness at Exhibit C – Videos].
On March 3, 2020, IAB Sergeant Omar Camacho conducted a phone recorded interview with Witness Witness was assigned to do a ride-along with Deputy Guerra on the date of incident.

Department Palmdale Station Observer Program (Ride-Along) Application. Palmdale Station did not have record of it. Mr. was on the PM Shift In-Service for Thursday July 18, 2019. Witness was a and had participated in over seventy five ride-alongs. Witness had done numerous ride-alongs with Deputy Guerra and they had discussed his role in emergent situations. His role was to be a witness, and put out radio traffic if needed. Witness said they responded to a domestic violence call in the city of Palmdale. He heard Deputy Guerra coordinate the call with Deputy Gregg as they responded to the residence. Upon arriving at the location, he saw Deputies Gregg and Guerra running toward the area where Suspect Chavez was holding Witness Witness said he heard a loud disturbance. proceeded toward the disturbance and saw Suspect Chavez and Witness on the ground. Suspect Chavez was positioned "on top of a female, Witness choking her" Interview, p.2). Witness then focused his attention on the family members coming out of the residence. Witness said the were crying and concerned for (Witness William). His view was obstructed and did not see the deputies' actions. Emergent radio traffic was broadcast and deputy personnel responded to assist. SUSPECT INTERVIEW Suspect Jorge Chavez - Field Sergeant Interview On July 18, 2019, Sergeant Grimes (261S) interviewed Suspect Chavez at PRM. For further see video recorded interview [EXHIBIT C - Videos]. Suspect Jorge Chavez – IAB Interview On July 19, 2019, IAB Sergeants Omar Camacho, John Steele, and Lieutenant Minh Dinh interviewed Suspect Chavez at Palmdale Station. Suspect Chavez said he went to the residence to see his and speak with her about problems. She told Suspect Chavez she was going to call the police. When he saw the police arrive he looked at her in disbelief and "hugged her real tight." Suspect Chavez said he got scared. He tried to cover himself and was pushing the deputies off.

IAB investigators requested the Los Angeles County Sheriff's

Suspect Chavez saw a metal object and what appeared to be the front of a gun next to his eye. He was knocked out, as deputy personnel struck him in the ribs and kneed

IAB Note:

him.	Suspect	Chavez sa	aid he couldn't	breathe after	er that.	Suspe	ect Chave	z said his
	,	and	were pre	esent during	the inci	dent.	His Total	did
not w	itness the	e incident.						

Suspect Chavez grabbed his and hugged her when the deputies arrived. He was scared and "things got real out of hand" (Chavez interview, p.5). Suspect Chavez saw a deputy hit him with a metal object next to his right eye. Suspect Chavez said "just fucking kill me" (Chavez Interview, p.6) because he had lost everything. He tried to cover himself because he was getting hit and was trying to get the deputies off him. Suspect Chavez admitted to pushing the deputies and trying to cover up, which allowed deputy personnel to pull the victim away from him.

Suspect Chavez saw the front of a gun and described the impact as "wham, straight into my eye" (Chavez Interview, p. 7). Suspect Chavez believed he was knocked unconscious because he blacked out. He woke up and remembered being kneed on the ribs, kicked on the back, and punched in the face. Suspect Chavez remembered being hit with a gun once. Suspect Chavez admitted to trying to get the deputies off of him, but denied placing his hands on a deputy's gun.

Suspect Chavez complained of pain to the right side of his head, right eye, and jaw. He stated he was not resisting the deputies, he was just covering his face from the blows they were giving him. Suspect Chavez admitted to "squeezing her hard" (Chavez Interview, p.21) and not letting the victim go when ordered to by the deputies. He threatened to kill himself and Witness but said he would not do that. Suspect Chavez did not remember if he struck anyone.

IAB Note: Suspect Chavez admitted to smoking marijuana on the date of incident and doing a line of methamphetamine a couple days prior.

Suspect Chavez was treated for his injuries and seen by medical staff. IAB Investigators obtained a signed medical waiver from Suspect Chavez.

### ADDITIONAL INFORMATION

On July 19, 2019, IAB Investigators returned to the residence where the incident occurred. The residents at the second second were uncooperative and refused to speak with us. On February 19, 2020 IAB Sergeant Camacho returned to the residence.

A door knock at the location resulted in no answer. A business card with IAB Investigator contact information, was left at the location. A certified Los Angeles County Sheriff's Department Letter, which contained IAB investigator contact information was sent. (See Miscellaneous Documents)

IAB Investigators spoke with Mrs.	(FH/	) who resides at
Ms. received Serg IAB office. Ms. said Witness family moved out after in fear of Suspect Jorge Chavez. Mrs.	no longer lived a the incident and d	
On March 9, 2020 IAB Investigators co want to be interviewed and requested vinvestigation.		
both on the Palmdale Station PM In-Se Mr. and Mr. both told use of force.	ervice as scheduled	ride-alongs on July 18, 2019.